

WAC Chapter	Chapter Title	Contact Person	CR-101 Filing Date	CR-102 Filing Date	CR-103 Filing Date	Scope of Changes / Sections to Amend
Air Quality						
173-400, 173-405, 173-410, 173-433, 173-434 AO# 99-07, 7/96	Emissions Standards for Solid Waste Incinerators; General regulation for air pollution sources; Kraft Pulping Mills; Sulfite Pulping Mills; Solid Fuel Burning Device Standards	Tom Todd (360) 407-7528 ttod461@ecy.wa.gov	Mar-99	Jun-04	Dec-04	Hog Fuel Boiler RACT; define terms related to wood derived fuels; re-organize state incinerator rule.
173-400 AO # 03-07	General regulation for air pollution sources	Tom Todd (360) 407-7528 ttod461@ecy.wa.gov	Aug-03	Oct-04	Mar-05	This rule making amends the New Source Review portions of Chapter 173-400 WAC, General Regulations for Air Pollution Sources. We will be incorporating changes to the federal Major Source New Source Review Program that were promulgated on December 31, 2002. We will be integrating the federal program with the conditions and needs state law. Other changes will be made to gain full approval of the PSD program by EPA.
173-407 AO # 03-09	Greenhouse Gas Emissions	Melissa McEachron (360) 407-6860 mmce461@ecy.wa.gov	Oct-03	Mar-04	Aug-04	At the Governor's direction, Ecology and EFSEC will develop rules to mitigate carbon dioxide emissions from new power plants in Washington State. EFSEC will focus on a mitigation plan for larger new power plants; Ecology will focus on one for smaller new power plants that fall outside of EFSEC's jurisdiction (less than 350 MW) and supply the public with electricity.
173-434 AO # 02-05 03/02	Solid Waste Incinerator Facilities	Steve Cross, (360)407-6875, stcr461@ecy.wa.gov	Mar-02	6/3/2003 Continuance filed 7/29/03 to extend the comment period	Dec-04	The purpose of the proposed rule change is to incorporate new federal language; add new terms to the definition section; change existing definitions; and provide alternate means of compliance demonstration with section WAC 173-434-130(3) and section WAC 173-434-160(1).
Shorelands & Environmental Assistance						
173-26 Ao# 03-02 01/03	Shoreline Management	Peter Skowlund (360) 407- 6522 psko461@ecy.wa.gov	Jan-03	Jun-03	Dec-03	New Shoreline Management Act (SMA) Guidelines for Development/Amendment of Master Programs, executing a settlement agreement amongst litigating parties that implements statutory requirements to update the guidelines consistent with SMA policy, replacing invalidated Parts 3 and 4 of chapter 173-26 WAC; among other things establishing planning and regulatory standards for future shoreline development and uses, requirements for protection and restoration of shoreline ecological functions, guidance on the limitations of regulatory authority and shorelines and growth management act integration.
197-11 AO#02-13 8/02	SEPA Rules	Barbara Ritchie, (360)407-6922, brit461@ecy.wa.gov	Sep-02	Jan-03	Jul-03	The proposed amendment of the State Environmental Policy Act (SEPA) Rules is in response to a recent law suit challenging Ecology's authority to adopt criteria that would override exemptions established by the Legislature. The Legislature exempted Class I, II, and III forest practices from SEPA environmental review. The Court of Appeals has ruled that because the legislative exemption is included in Part Nine of the SEPA Rules, Class I, II, and III forest practices are subject to the limitations in WAC 197-11-305 and may require SEPA review. Ecology has determined that we do not have authority to override legislative exemptions and that the SEPA Rules need to be revised to clarify that legislatively exempt actions do not require SEPA review.

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Spill Prevention, Preparedness & Response						
317-10,173-181 AO#00-03 7/99	Oil Spill Contingency Plans and Response Contractor Standards	Linda Pilkey-Jarvis, (360) 407-7447, jpil461@ecy.wa.gov	Feb-00	May-04	Nov-04	Update plan requirements, mandate incident command systems, incorporate planning standards, and update primary response contractor standards.
Hazardous Waste and Toxic Reduction						
173-303 AO # 03-10 10/03	Dangerous Waste Regulations	Chipper Hervieux (360) 407-6756 pher461@ecy.wa.gov	Jan-04	Jun-04	Dec-04	This rulemaking will incorporate new federal requirements, make changes for consistency and clarification, and propose changes to implement recommendations of the Hazardous Waste Facility Initiative to improve financial responsibility.
Water Quality						
173-98 AO # 02-15 10/02	Uses and limitations of the Water Pollution Control State Revolving Fund	Dan Filip (360) 407-6509 dfil461@ecy.wa.gov	Nov-02	Jan-07	Jan-07	The Washington State Department of Ecology is initiating a "pilot rulemaking process" to propose to amend Chapter 173-98 WAC, (<i>Uses and Limitations of the Water Pollution Control Revolving Fund</i>), to allow public bodies to use the "Design/Build" concept for completion of wastewater facilities. The concept allows for a contract between local public bodies and firms to be awarded for the design and construction of portions of the facility largely independent of other design and construction efforts elsewhere at the facility. The scope of the pilot rulemaking process will be limited to new Design/Build (D/B) provisions.
173-224 AO # 03-11 10/03	Wastewater Discharge Permit Fees	Bev Poston (360) 407-6425 bpos461@ecy.wa.gov	Dec-03	May-04	Nov-04	The proposed rule amendment will increase fees for all permit holders to meet the fiscal growth factors for both FY2005 and FY2006. New fee categories for Concentrated Animal Feeding Operations and Municipal Stormwater Phase 2 Permittees will be created.
173-218, 216, 226 AO # 01-10 05/01	Underground Injection Control Program	Mary Shaleen-Hansen (360) 407-6143 maha461@ecy.wa.gov	Dec-01	May-04	Nov-04	The rule amendments will 1. bring it current with new federal rule changes 2. create consistency between the rules that govern UIC wells, and 3. clarify the language of the rule.
Water Resources						
173-563 & 531A AO # 01-05 7/01	Columbia River Main Stem and John Day-McNary Pools	Gerry O'Keefe (360) 407-6640 goke461@ecy.wa.gov	Oct-02	Jul-04	Nov-04	Amend and/or partial repeal of rules to adopt a rule that governs an integrated state water management program for the river's water resources .
173-175 AO # 03-08 9/03	Dam Safety Regulations	Dave Cummings (360) 407-6620 dcum461@ecy.wa.gov	Oct-03	Feb-04	Jul-04	This rule making will amend Ch 173-175 WAC Dam Safety Regulations; adopted in 1992, amended in 1995. The following two changes will be made: 1)Increasing fees for existing plan review and construction inspection; and 2)Resumes collection of a fee for Ecology's periodic inspection of existing dams. Some updating of language and minor revisions will also take place.
173-503 AO # 03-05 4/03	Instream Resources Protection Program - Lower and Upper Skagit Water Resources Inventory Area (WRIA 3 and 4).	Dan Swenson (425) 649-7270 dsw461@ecy.wa.gov	Apr-03	Jun-04	Dec-04	This rulemaking will amend chapter 173-503 WAC Skagit River Instream Flow Rule. As a result of a Interim Memorandum of Agreement recently signed by the Department of Ecology, City of Anacortes, PUD No. 1 of Skagit County, Skagit County, the Sauk-Suiattle Indian Tribe, the Upper Skagit Indian Tribe and the Swinomish Indian Tribal Community, Ecology has agreed to initiate and conduct, and the other parties agree to support, rulemaking to amend WAC 173-503 solely for the purpose of allowing exempt wells to be used in the Upper Skagit Basin when mitigation is provided under a Ecology approved mitigation plan.
173-505 AO # 02-17 11/02	Instream Resources Protection Program Stillaguamish River basin - WRIA 5	Steve Hirschey (425) 649-7066 shir461@ecy.wa.gov and Kathleen Enseñat (360) 407- 6780 kspa461@ecy.wa.gov	Nov-02	May-04	Nov-04	The Washington State Department of Ecology's (Ecology) Water Resources Program (Program) is proposing to develop an Instream Resource Protection Program (IRPP) setting instream flows for certain streams and river segments and, in some cases, stream closures within the Stillaguamish River Basin.